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Monsanto

LAW DEPARTMENT

Monsanto Company
800 N. Lindbergh Boulevard
St. Louis, Missouri 63167
Phone: (314) 684-1000

August 23, 1989

William C. Child, Manager
Illinois Environmental Protection Agency
Division of Land Pollution Control
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276

Re: L1630200005 -- St. Clair County
Sauget Sites -- Area I and Area II

Dear Mr. Child:

This will acknowledge receipt of your two letters dated August 7, 1989 pertaining to the Sauget site Areas I and II.

Please be advised that Monsanto has, and continues to, advocate a sound environmental approach to investigation of alleged environmental damage and appropriate action to remediate environmental damage. Monsanto's actions include the managing of several multiparty major Superfund cleanups in several regions, and also the first Superfund cleanup approved for "mixed funding." In this matter we are willing to engage in good faith negotiations with IEPA and the Illinois Attorney General's office relative to these Sauget site Areas I and II.

We are constrained to note, however, that the potentially responsible party (PRP) list which formed attachment 2 to each of your letters is certainly not exhaustive. For example, your PRP list for Area I designates only three potentially responsible parties. Given the number of additional companies in the Sauget area which generated and disposed of wastes in the vicinity during the relevant period, we fully expect that your PRP list will be revised to include many additional PRPs. The same may also be said for the truncated list attached to the Area II letter. In this regard, we encourage you to examine closely any existing generation/disposal documents as well as those added documents forthcoming from the Section 104(e) information requests, with a view to preparing a more accurate PRP list.

In addition, we must note that your Section 104(e) information requests were sent to only a limited group of possible generators, transporters, and/or disposers in the immediate areas surrounding

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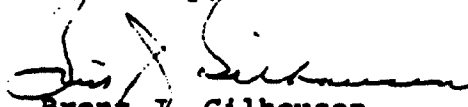
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the sites. In our view, your Section 104(e) information requests should have been sent to the much larger group of companies and individuals known to have generated, transported and/or disposed of hazardous substances in the area. In the event you are currently disinclined to expand your PRP list, we request that you, at a minimum, direct the Section 104(e) information requests to the actual (and much larger) group of companies known to have generated, transported and/or disposed of hazardous substances in the area. Such action is appropriate to foster the spirit necessary for "good faith" negotiations.

In connection with your information request directed to Monsanto Company, we note that many of the documents requested have previously been produced to the State. We observe also that several of the information requests, including the liability insurance request, appear irrelevant. We will soon discuss these issues with you. In the interim, however, given the sheer volume and breadth of information requested, we will need an enlargement of time, at least forty-five additional days, to respond to your information requests. Should you have questions regarding the foregoing, please call the undersigned.

Sincerely,


Brent J. Gilhousen
Environmental Counsel

jf/EL123/65

bcc: N. C. Boggs
L. W. Higley
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